# WASHINGTON CITY.

special Natice to Subscribers

SATURDAY MORNING, MAY 29, 1858. Business Notice.

THE RIGHT OF SEARCH-THE REPORT OF THE SENATE COMMITTEE ON FOREIGN AFFAIRS. We publish to-day the report of the Senate Con mittee on Foreign Affairs in relation to the recent outrages of British cruisers upon our merchant vessels in the Gulf of Florids and on the coast of Cuba. Accompanying this report will be found the resolutions of the committee on the subject distinctly and formally denying the right of other nations to "visit, molest, or detain" vessels bearing the American flag, and claiming them as within the jurisdiction of the United States. That is the principle of the maritime code of nations. The merchan thips of each bear with them and retain for their government the laws and jurisdiction of their own country. Mr. Webster, while Secretary of State, discussing the rights of our flag, maintained that where a vessel was forced by stress of weather into the port of a neutral State the jurisdiction of the Inited States over such vessel remained complete. There is no safety or reason in the claim to visit or search merchant ships sailing upon the high seas because, independent of the offence thereby committed against the jurisdiction and authority of the nation to which they belong, and whose flag they exhibit, it may well be doubted whether the leas practical good would ever come of the exercise of such a power. The pretension set up, that visitation is necessary to circumvent slave-traders who use simulated papers and colors, especially in reference to this country, is unworthy of the least credit. We have given a sufficient earnest of our intention to suppress that trade; and we feel that to us, and not to her Majesty's government, is intrusted the duty of protecting our flag against im-proper use. If Great Britain is sincerely anxious to suppress the slave trade in connexion with the island of Cuba, we suggest that the London cabinet devise means at once by which her Catholic Maj on fair terms, to cede that island to the United States. We know of a process by which this end can be effected. Certain it is that the British government, with their mixed commissions, diplomatic remonstrances, and the spa modic exertions of their vessels-of-war, have made no sensible impression upon the slave trade between the coast of Africa and Cuba. Then, if it is deemed an object of great importance to suppress that species of piracy in the West Indies, the British gov ernment have the strongest proof that the island of Cuba, brought under the jurisdiction of the Union, will be the shortest and quickest process by which its purposes in this regard can be accomplished. Be sides, it will soon appear that this government will resist any pretension to visit or search our vessels and we confidently expect the British cabinet to re nounce all right to interfere with our merchant wes sels. If, then, the latter have relied upon our subon as the last hope of efficiency in suppressing the trade, it will be a good time to adopt the best plan in the world of disposing of the whole matter, by urging the United States to purchase Cuba and

All accounts concur that the work of combining y some secret political process of chemistry, the oil and water of the opposition—pliant abolitionism with swaggering plug-uglyism—is by no means in a condiion of hopeful advancement. We take an interest party issues distinctly defined, and would much presian troops. If there is any process of union between the various sections and interests of the opposition, we trust it will be discovered and applied. There are certain general features of the case which, in our view, would seem to render reconstruction impossible. For instance, how the South Americans an be made to unite with the republicans, we can not see. The latter, however, have no hope of acquiring troops in the South; what they want is the credit of commanders. They know that no cons. der-able portion of the southern people will ever support the Seward men or cause. That is plain enough. But it is not so clear that there are no aders in the South who will not feel that they can ford to be sacrificed at home, provided they are assured of rapid promotion at the Federal Capital, in the event of the triumph of the republicans in a presidential election. We would, of course, like to see justice done to all sides, and in this view it is well that the South Americans should examine closely the state of political affairs in the North, and especially determine upon what issue the abolitionists intend to carry Northern States. Kansas has been a kind of god-

and put our Canadian neighbors on their guard against its possible conquest of the British North American

Now, what we say is that in all this they deceived the people; and we are confident they will be unable to do it again. Hence we infer that the South Americans should see to it that their proposed abolition allies should get hold of a winning issue. But we leave the work of reconstruction to those more interested in its details than we are.

THE QUINTUPLE TREATY. GENERAL CASS TO

We can contribute nothing to the current literaare of the day more interesting and appropriate than by the republication of the letter of Gen. Cass, then nister of the United States at Paris, to M. Guizot, Minister of Foreign Affairs under the government of Louis Philippe. This communication, it will be re-membered, was followed by a pamphlet from Gen. Cass on the subject of the treaty, which had been signed by the diplomatic agents of five of the prinpal States of Europe, having for its ostensible ob ect the suppression of the African slave trade. It was believed at the time (1842) by Gen. Cass and a arge majority of the American people that the real object which was sought to be effected by the quintuple treaty was the combination of the great powof Europe against the government and people of the United States. It was certainly supposed that the parties to the convention would at once assert the right of search as a means of effectual suppression of the slave trade. It will be remembered that Lord Palmerston, in his Hayti note, written on the 27th of January, 1840, a few days after the Portuguese slave-trade-suppression bill had been introduced into the House of Commons, and when the whole subject was before the London cabinet, denounced the right of search, as Lord Stowell had judicially decided it, "except as a belligerent claim.

At a later period, in 1841, Lord Palmerston had naintained the right of visitation as a means of suppressing the slave trade. Subsequent to this, and at the very time the quintuple treaty was in process of negotiation, Lord Aberdeen, in a letter to Mr. Steven n, then American minister at London, undertook, in a more formal and authoritative manner, to enforce the distinction between visitation and search; denouncing the latter as an act of invasion, as the exercise of a belligerent claim; and maintaining the former (visitation) "as a verification of the nationality of the vessel." Lord Stowell, the very highest British judicial authority, in the case of a French vessel, had used the term "visitation and search. and had declared that they could not be enforced except as a belligerent claim."

The vigilance of Gen. Cass, and perhaps we might say, his habitual distrust of the policy of the Lon-don cabinet on the subject of search, which had really given universal offence in 1812, did not fail to detect in the quintuple treaty and the renewed pretension of Lord Aberdeen in reference to visitation-a word of most friendly import and almost completely social in its use and signification—ulterior purposes which he believed to menace the interests and threaten the rights of American vessels sailing upon the high eas; in other words, that it was the object of England to effect a powerful combination of States to enforce a claim which the President of the United States, in 1841, had distinctly denounced. We introduce the letter of Gen. Cass to Mr. Guizot, of the 13th of February, 1842, just seventeen days after the date of Lord Aberdeen's note, in which that statesman had formally renewed the distinction between "visitation and search."

It is reported by an American gentleman who was invited by one of the Cardinals at Rome to a friendly dinner, and was assured by his Grace that he would have present an eccentric Priest, very diplomatic, who was never known to give a direct reply to a question, but would always commence his answers thus: "I make a distinction." After soup was served, the Cardinal asked the Priest, "Is in the subject; for every good democrat would have tion," said the Priest. "If your Grace means to fer to fight an enemy in an open field to contending ask if it is lawful generally to baptize with soup, nere Hes. I would say, no ; but if your Grace would confine the question to your own particular soup, I would say, ves : for I see no earthly distinction between it and

> So we see the distinction between the really invasive, belligerent claim of visitation and the far less offensive pretensions of search, the latter being denounced as a belligerent claim and the former as the simple verification of the nationality of the vessel. We do not know whether General Cass was advised of the letter of Lord Aberdeen, as he certainly was of the letters of Lord Palmerston; be this as it may, events have abundantly establishments or decorations, except for such as had been appropriation for seeds for the Patent Office was cut down and his reputation as a prophet concerning the policy. ed his reputation as a prophet concerning the policy of the London cabinet, as, at the moment when that cabinet imagined the ratification of the quintuple treaty was a foregone conclusion, he entered, upon his responsibility as a public minister, the protest of the American people against the measure nominally of the five powers, really of England alone.

# A LARGE BUSINESS

The House of Representatives yesterday passed eighty-five bills, seventeen of which were Senate bills. It is understood they run through the private

### NEWS BY TELEGRAPH. Movements of the Utah Army

Sr. Louis, May 27.—The detachment of troops for Utah, under command of Major Paul, numbering two hundred and ten men, left Jefferson barracks last night, for Fort Leavenworth.

A letter to the Democrat, dated Leavenworth, 23d inst.,

"There is no intermission in the preparatory labors of the troops consequent on the recent intelligence from Salt Iake; and, judging from the movements at the Fort, no countermand of orders already given is anticipa-

The headquarters would not move for fifteen or twenty days. It was understood, however, that Gen. Harney might proceed in advance of his staff, passing the several columns on the route.

Gen. Harney had given an order to Col. firosman, quartermaster-general, to proceed with the fourth column, under Col. Morrison, and Major Babbitt, Adjutant General, is to be stationed at Fort Laraunic, whither he goes immediately.

Laavenvorm, May 26, via Boonevilla, May 27.—Four companies of the 2d Infantry from Fort Randall arrived at the Fort here this morning, and will remain to garrison the post. Col. May's column will positively march to Friday.

### Funeral Obsequies of the Late General Persifer F. Smith.

PHILADELPHIA, May 28.—The funeral obsequies of the late Gen Smith took place to-day anid a most imposing display. The first division of State militis, under Gen. Cadwallader, and the Scott legion, formed the left wing; next were a detachment of marines and the Duquesne Grays, from Pittsburg. The body-guard was composed of Commander George C. Read and Captaia W. W. Mo-Kean, of the navy; Colonels T. J. Crain and G. H. Thomas, of the army; and Thomas Dunlap and Charles Beddle, on the part of the citizens. Flags were at half mast on all the public buildings, armories, shipping, and wharves. Minute guns were fired at the navy-yard and other points. The procession proceeded to Lunel Hill cemetery, where the National Guards fired the last salute over the soldier's remains.

Montgomery's Banditti in Miss St. Louis, May 28.—The Republican of this morning states that the governor has received a petition from the citizens of Bates and Casa counties, of this State, asking protection against Montgomery's banditti, who have invaded the State, committing robberies and outrages, and are now preparing for an extensive forsy. A Leavenworth correspondent says the banditti have burned the town of Butler, in Kansas.

PHILADELPHIA, May 28.—The Protestant Episcopal con vention to-day took a 16th ballot for assistant bishop, as follows: Dr. Bowman, 75; Dr. Vinton, 63; scattering, 2 The laity voted by ballot, and approved no selection by

The Reported Riot at Harbor Creek.

CLEVELAND, May 27.—The track which was removed at Harbor Creek was not the one on which the trains were running. There has been no interruption of travel, and the trains still run on the curved track as during the past two years. The riotars only removed a few rails from the straight track, which was being relaid.

PROVIDENCE, May 28.—Henry B. Anthony, the editor of the Journal, was to-day elected at Newport to the United States Senate for six years from the 4th of March

Departure of the Waterwitch Nonross, May 28.—The U. S. steamer Water eaves to-morrow morning for the Gulf.

Seizure of a Schooner.

# Nonrolk, May 28.—The schooner Francis French, of Union, N. J., has been seized by the State inspector here, for having a concealed slave on board.

Markets.

Naw Yoak, May 28.—Cotton closed at a decline of \( \frac{1}{2} \) cent. on yesterday's quotations; holders offered freely, but buyers demanded a still further reduction: Upland middling, 11\( \frac{1}{2} \) cents; but prices are nominal. Flour closed firm—sales of 15,000 bbls; Sante, \$3.35 a \$3.95; Ohio, \$4.30 a \$4.45; Southern, \$4.40 a \$4.70. Wheat is active—sales of 150,000 bushels; Western red, 98 cents a \$1; white, 98 cents a \$1.08. Corn is lower—sales of 46,000 bushels, mixed, 55 a 70 cents; white, 71 a 72 cents; yellow, 77 cents. Pork is lower—mass, \$17.35 a \$17.40; prime, \$14.25. Land advanced \( \frac{1}{2} \) cents. Sugar is heavy—Muscovado, 5\( \frac{1}{2} \) a 6\( \frac{1}{2} \) cents. Sugar is heavy—Muscovado, 5\( \frac{1}{2} \) a 6\( \frac{1}{2} \) cents. Coffee is steady—Rio, 10\( \frac{1}{2} \) a 11\( \frac{1}{2} \) cents. Spirits turpentine is dull at 45 a 46 cents. Rosin is steady—strained, \$1.55. Rice is dull at 5\( \frac{1}{2} \) a 3\( \frac{1}{2} \) cents. Freights are drooping.

Baltimora, May 28.—Flour is quiet and unchanged;

BALTIMORR, May 28.—Flour is quiet and unchanged; City Mills at \$4; Ohio \$4 37\frac{1}{2}; Howard street nominal at \$4 37\frac{1}{2}. Wheat is dull at yesterday's quotations; good to prime red \$1 a \$1 0\frac{1}{2}; and good to prime white at \$1 08 a \$1 20. Corn is firm; white 64 a 66; yellow, 65 a 70c. Whiskey is dull at 20\frac{1}{2} a 22c. Provisions are dull and

# CONGRESS YESTERDAY.

to prolong the session of Congress for two weeks. Objection being made to its consideration, it went over under the rule. It will be called up to-day. Mr. Mason gave notice that he should call up for consideration to-da the resolutions appended to the report from the Com mittee on Foreign Affairs on the visitation and search of American vessels by British cruisers in the Gulf of Mexico. The miscellaneous appropriation bill was then taken

from sixty to twenty thousand dollars.

In the House, the three appropriation bills still before that body were passed and sent to the Senate. A Committee of Conference was appointed upon the disagreeing votes of the two houses on certain amendments to the legislative, executive, and judicial appropriation bill. The private calendar was taken up, and all the bills, not objected to, were disposed of the whole calendar having been gone through with. Eighty-five private bills wer

# APPAIRS IN VANSAS

Suppose what issue the abolitionists intend to carry. Northern States. Kanasa has been a kind of god-send; but Kanasa is pretty much worm out. Cetain it is, in the elections, nothing more is to be made of Kanasa. The recent vote upon the party of the property of the companying the set of administration of the continuous accompanying the set of administration being affirmed or rejected, there can be no vital issue made upon Kanasa fairs.

If the party falls back, under the lead of Mr. Seward, upon pure antisatesvery, we greatly far at the will turn out to be extremely distasteful to the South Americans and we are satisfied; it will prove destruct the two and we are satisfied; it will prove destruct the two and prove that the sale of this Military Reservation, which was the people when paper of the canada and never will be a majority of the Ampfeton people when paper and the servery of the Ampfeton people when paper and the servery of the Ampfeton people who will eague it as mere crusted against the institution of showery. On a false issue like that of Kanasa, it is possible a manying wing his bear extracted to the South. Hence we claim that the result of the last four years' common vans has been to discredit the abolitionists, who are shown to have doceived the people upon the question of slavery in the Territories. They said them that it was only by their excitonis that in the pressure of the said and warried and warned all the northern States of its approach to establish allowers and an everted from satablish of the call bills in the province of the said and travellers in the produces of the property and the majority of the Ampfeton people who to have decided the property and the produced and the property and the said the produced and the produced and the property and the produced and the produce

FROM OUR OWN CORRESPONDENT

Nuw Your, (Thursday Night,) May 27, 1858 New Yosk, (Thursday Night,) May 27, 1868.

The article in yesterday's (Wednesday's) Union, on the "Integrity of Democratic Organizations," has given universal satisfaction among the democrats of this city, and is commended for the soundness of its doctrine, the wisdom of the policy it enjoins, and the magnanimity, generosity, and spirit of conciliation which it contains. "To unite against the common enemy" ought to be, and, we trust, will be, the aim of every good democratic ecanse, by doing so, and by abiding by the decision of democratic conventions, we can alone "secure the triumph of the democracy." Is there any personal or private consideration of sufficient weight to justify the adoption of a course which would imperil our cause and give the power which we have bravely won into the hands of our unscrupulous enemies?

we have bravely won into the hands of our unscrupulous enemies?

The committee of the Tammany Society met to-night in the old Wigwam to make arrangements for a grand mass meeting of the people to express their sentiments as to the recent outrages against the flag of our country by the British cruisers. Although the New York Express of this morning informed us that for democrats to hold such a meeting implied "a lack of confidence in the administration," or was an evidence that we believed that our "patriotism was doubted," we ran the risk, and are to have the meeting early next week. Our temerity may be reprehensible in venturing to act in opposition to the patriotic Express's but are we not. "the unterrified."

leet, and what perfect confidence we have in the decision, energy, and bold patriotism of our honored administration.

The Africa arrived this morning with European news of the 15th instant. The resolutions consuring the Derby administration for the publication of Lord Ellenborough's despatch reproving Lord Canning for his proclamation relative to the confiscation of the estates of the rebel chiefs in Oude were moved by the evangelical Earl of Shaftesbury in the Lords, and Mr. Cardwell in the Commons, on the 14th inst. In the former house, a division took place after a spirited debate, and a majority of nine, in an unusually full house, decided not to express any opinion as to the conduct of the Ministry, but declined to acquit them of the charges brought against them in the indictment. This, in the hereditary branch of the legislature, where the so-called "conservative" element is strongest, is a very questionable triumph, and indicates pretty clearly—even were there no other indications—what will be the decision of the people's representatives. The debate in the Commons on Mr. Cardwell's motion was very animated. Lord John Russell made a very telling speech against the government, and it is said that he and the veteran Lord Palmerston are quite reconciled, and working together for "the common good"—to oust "the ministry of sufferance." The debate was adjourned till the 17th instant, and the liberal newspapers anticipate a majority of 60 against the Derby cabinet. This will lead to their resignation and will avert the danger of a dissolution of Parliament. The financial and commercial news by the Africa is gloomy, and the private accounts are not more encouraging.

Our rain storm still continues with unabated violence.

cial news by the Africa is gloomy, and the private accounts are not more encouraging.

Our rain storm still continues with unabated violence. The Persia, which left her dock yesterday afternoon at 2 o'clock, was obliged to anchor, owing to the heaviness of the sea and a dense fog. She was to have sailed again to-day at 4 o'clock, but the fog, wind, and rain still continue. A distinguished friend of mine from California observed yesterday that such rain as that which was drenching us would add \$50,000,000 to the wealth-of the "Golden State," I am sorry that we cannot make the valuable gift. We would do so with pleasure.

Whether it is the miserable weather or a fear of

scription is exceedingly flat, and the money market the fiattest of all. The price of money is unchanged, and so is the supply of that essential commedity. Treasury notes are more active. The banks making large purclesses for investment. The five-per-cents are quoted at a per cent. Premium; the four and three-quarter-percents at a particular and the four-and-s-half-per-cents at a per cent. Premium, The old three-per-cents are sought for in vain at a discount of 20 a 30 cents on the \$100.

The business at the stock board this morning was light with a very dull market. Prices are not much changed, but the tendency is downward for the principal speculative descriptions. At the second board the market was as dull as in the morning and scarcely any variation in prices. N. Y. Central closed at \$44; Pacific M. S. S., 70; Eric, 21½; Hud. Riv., 29½; Reading, 44½; Galena and Chicago, \$7½; Cleveland and Gal., 40½; Chic. and R. L. 74½; and La Crosse and Mil., \$8.

The flour market was dull and lower. Wheat a trife cheaper, with large arrivals. Corn steady and scarce. Provisions very that and tending downward. Cotton is heavy at a slight decline. Sugars ½ cent lower than the highest price last week.

The cash transactions at the sub-treasury were as fol-

The receipts at the custom-house for duties were ADSUM.

COMMODORE PAULDING AND THE NAVY DEPARTMENT.

The correspondence between Commodore Paulding, while in command of the Home Squadron, and the Department, in connexion with the Walker expedition, was yesterday transmitted to the Senate, in compliance with a resolution of that body. Nearly all the papers embraced in this correspondence have already been laid embraced in this correspond two papers, numbered 13 and 14, which we give below. only communication addressed to Commodore Paulding, which was subsequently withdrawn. This was done lest might be misunderstood. The second letter was substi-tuted therefor, that the true reason for detaching him might appear from the correspondence :

might appear from the correspondence:

NAVY DEPARTMENT,
February 18, 1858.
Six: You are hereby detached from the command the Home Squadron, and a leave of absence is granted you for three months, at the expiration of which you will report to this department.

I am, respectfully, &c.,
I. TOLICEY

Flag Officer Hiram Paulding, United States Navy, New York.

NAVY DEPARTMENT, February 18, 1858.

Sin: Having been over two years in command of the Iome Squadron, you are hereby detached fremthat com-nand, and you will regard yourself as on leave of abis.
I am, respectfully, &c.,
I. TOUCKY.

Flag Officer Huran Pauliting, Commanding Home Squadron, New York.

SEARCH AND SEIZURE OF AMERICAN VESSELS

REPORT OF MR. MASON, OF VIRGINIA, From the Committee on Foreign Relations, made to the Se May 28, 1858.

The Committee on Foreign Relations, to whom ferred the resolution of the Senate Instructing "to inquire whether any legislation is necessary able the President of the United States to 1 able the Fresident of the United States to protect American vessels against British aggression in the Gulf of Mexico or elsewhere," and to whom has also been referred the message of the Fresident of the United States communicating, in answer to a resolution of the Senate, information concerning the recent search or sefaure of American vessels by foreign armed cruisers in the Gulf of Mexico, have had the same un-

REPORT:

The documents accompanying the message of the President show a series of aggressive acts on the commerce of the United States in the Gulf of Mexico, and off the West India islands, by the maval forces of Great Britain, of a character so marked and extraordinary as to have fixed the attention of the country.

American vessels pursuing the paths of lawful commerce on the high geas, or passing near the American coast from one domestic port to snother, under the flag of their country, have been pursued, fired into, and compelled to stop by the public force of a foreign power; questioned as to their destination, their cargo, and the character of their crew; required to subusit to an examination of their sea papers, and to a scrutiny into the objects and purpose of their voyage.

In other lastances, American vessels anchored in the harbor of a friendly power, at the port of Sagua la Grande, in the Bland of Cuba, have been subjected to a police inquisition by the same foreign power, and in like manner required to exhibit their papers, and to submit to questions as to their destination, the cause of their absence from home, and the number and character of their crews.

It would appear from the letter of the consul of the

quisition by the same loreign power, and in like manner required to exhibit their papers, and to submit to questions as to their destination, the cause of their absence from home, and the number and character of their crews.

It would appear from the letter of the consul of the United States at Havana, (a document accompanying the message,) that no loss than fifteen American vessels lying in the harbor, or in port at Sagua la Grande, were made to undergo this humiliating system of espionage; whilst six vessels on the high seus in the Gulf of Mexico, bearing their country's flag, were, as above stated, by actual exhibition and use of force, endangering, in some instances, the lives of those on board, compelled to stop and submit to detention, until a boarding officer was satisfied in such questions as it was his pleasure to put.

Besides the instances above cited, officially communicated with the President's message in reply to a call of the Senate, each successive arrival from the infested quarter brings intelligence of new and additional aggressions of like character, committed by the same power, on vessels bearing the flag of the United States.

It has occasionally happened heretofore, under circumstances of misapprehension, or misconstruction of orders, or from other and like causes, that vessels of the United States have been subjected by the armed force of a foreign power to visitation and search, in violation of international law, and in derogation of the independence of our flag, and in such isolated cases the honor of the country may have been sufficiently vindicated by a disclaimer of intended wrong or by rebuke of the officer oftending. But the continuous and persevering character of the aggressions now brought to the notice of the country, committed by a power with whom were at peace, and almost within sight of our shores, is sufficient to arouse the just indignation of the country, and calls, in the opinion of the committee, for the most prompt and efficient measures, to arrest at once, and to end f

private letter says that this note had produced much anxiety, as it was feared that a war betwirt the provinces of the confederation and the government of Buenos Ayres would be the result.

THE CROPS.

We very much regret to hear that the wheat crop in the counties of Cumberland, Buckingham, and Apponantox will be cut short at least one-half by the joint worm. Up to a few days since, the crop promised to be a very abundant one, but our informant says (who is a most reliable gentiaman) that all their hopes are dashed to the ground. Lenchurg (Va.) Rep.

The weather has been much more favorable to planters during the week than it was the week previous. Softunday was the hottest day of the season. The cotton planters grumble considerably about the present appearance of their "stands" of cotton. Alexandria (La.) Denoted. 18th.

In conclusion, the committee recommend the adoption

of the following resolutions:

Resolved, (settle judgment of the Seunte,) That American was on the high seas, in time of posses, bearing the American flag, ran under the jurisdiction of the country to which they belong, therefore any visitation, notestation, or detention of such vessels force, or by the exhibition of force, one the part of a foreign Possis in decregation of the sovereignly of the furted States.

Resolved, That the recent and repeated violations of this immon committed by viewed-toware helicinging to the many of Great limit the fulf of Mexico, and the objectus seas, by fring into, morrier, and otherwise foreithy detaining them on their vivyage, required to the subject, by the government of tireat Britain and the UniStates, touching the rights in volved, as shall preclude hereafter occurr need of like aggressions.

THE QUINTUPLE TREATY .- THE RIGHT

FROM GENERAL CASS, MINISTER OF THE UNITED STATES AT PARIS, TO MR. GUI. ZOT, MINISTER OF FOREIGN AFFAIRS OF

LEGATION OF THE UNITED STATES.

Paris, February 13, 1842.

Size: The recent signature of a treaty, having for its object the suppression of the African slave trade, by five of the powers of Europe, and to which France is a party is a fact of such general notoriety that it may be assumed as the basis of any diplomatic representations which the subject may fairly require.

The United States, being no party to this treaty, have no right to inquire into the circumstances which have led to it, nor into the measures it proposes to adopt, except so far as they have reason to believe that their rights may be involved in the course of its execution. Their own desire to put a stop to this traffic is everywhere known, as well as the early and continued efforts they have adopted to prevent their citizens from presecuting it. They have been invited by the government of Great Britain to become a party to the treaty, which should regulate the action of the combined governments upon the subject. But, for reasons satisfactory to themselves, and I believe satisfactory to the world, they have declined this united action, and have chosen to pursue their own measures, and to act upon their own citizens only, without subjecting these to any kind of foreign jurisdiction.

In a communication from Lord Palmerston, her Britannic Majesty's principal Secretary of State for Foreign Affairs, to Mr. Stevenson, the American minister at London, dated 27th August, 1841, Lord Palmerston claims a right for the British cruisers, and avows the intention of his government to exercise it, to search American vessels at sea in time of peace, with a view to accretain their national character. He adds that "this examination of papers of merchantmen suspected of being engaged in the slave trade, should continue to practise," &c., &c.

In a communication from the successor of Lord Aberteden to Mr. Stevenson, dated October 13, 1841, the views and determination announced in the first are confirmed; and Lord Aberdeen thus states the ground upon which are the

In a communication from the successor of Lord Aberdeen to Mr. Stevenson, dated October 13, 1841, the views and determination announced in the tirst are confirmed; and Lord Aberdeen thus states the ground upon which rests this pretension to search American vessels in time of peace: "But the undersigned must observe that the present happy concurrence of the States of Christendom in this great object (the suppression of the slave trade) not merely justifies, but renders indispensable, the right now claimed and exercised by the British government: "that is to say, the right of entering and examining American vessels to ascertain their nationality.

It is no part of my duty to offer any comments upon this pretension, nor upon the reasons advanced in support of it. And if it were, I should find the duty far better performed for me than I could perform it for myself in the annual message of the [President of the] United States to Congress of December 7, 1841. In that document will be found the views of the American government upon this subject; and it is there emphatically declared that, "however desirous the United States may be for the suppression of the slave trade, they cannot consent to interpolations into the maritime code at the mere will and pleasure of other governments. We deany the right of any such interpolation to any one or all the nations of the earth, without our consent. We claim to have a voice in all amendments or alterations of that code; and when we are given to understand, as in this instance, by a foreign government, that its treates with other nations cannot be executed without the establishment and enforcement of new principles of maritime pelice, to be applied without our consent, we must employ language neither of equivocal import nor susceptible of unisconstruction."

You will perceive, sir, by these extracts, that the British

common highway of the world—the open sea—the committee deem this, nevertheless, a fit occasion to declare the principles always maintained by the United States as regulating the use of the open or high seas in time of peace, and from which are derived rights to the people of the United States among the derived rights to the people of the United States and to be maintained at whatever cost.

There is no right of visitation, far less of search, to be exercised in time of peace by any nation on the ships or vessels of other nations, nor can there be so long as the laws of the civilized world touching the freedom of the sea are respected by civilized men. Such claim, therefore, having no foundation in law or in the comity of nations, can never be tolerated by an independent power but in derogation of her sovereignty. Neither is there any distinction to be drawn in the claim of right between visitation at sea by the armed vessels of a foreign power when unattended by examination and search, and such visitation, without regard to its purpose, when claimed as a right, against the will of the party subjected to it. Were it otherwise, there would follow, of course, the correlative to the freedom and derive when were the constant the right perceive, sir, by these extracts, that the British government had advanced a pretension which it asserts to be indispensable to the extention. You be drawn to the British government had advanced a pretension which it asserts to be indispensable to the securation of its treaties for the United States has declared that the American government will not submit. This claim of search, it will be observed, arising, as it is asserted, ont of existing of the United States has declared that the American government will not submit. This claim of search, it will not be observed, arising, as it is asserted, ont of existing of the United States has declared that the American government thad advanced a pretension which it asserts to be indispensable to the securation of the state trade, and to which The offere and violation of public law consists in the distinction, without regard to its purpose, when claimed as right, against the will of the party subjectee to it. With this previous declarations made by one of the party subjectee to it. With this previous declarations made by one of the party subjectee to it. With this previous declarations made by one of the party subjectee to it. With this previous declarations made by one of the party subjectee to it. With this previous declarations made by one of the party subjectee to it. With this previous declarations made by one of the party subjectee to the quality of the party subject as the party of the party subject and the previous declarations. The moral effect which such a union of the great powers, two of which save perhaps never had a vessel subject to the open subject to the party of the party subject to the party subject to the party of the party subject to the party subject assumes and party subject assumes and party subject assumes and party subject assumes and party subject to the party subject assumes and party subject to the party subject to

But I have already said that the United States do not fear that any such united attempt will be made upon their independence. What, however, they may reasonably fear, and what they do fear, is, that in the execution of this and what they do fear, is, that in the execution of this treaty measures will be taken which they must resist How far the act of one of the parties putting its construction upon its own duties, and upon the obligations of its co-contractors, may involve those in any unlooked for consequences, either by the adoption of similar measure or by their rejection, I do not presume to judge. Or tain it is, however, that if the fact, and the principle advanced by Lord Aberdeen, are correct, that these tractions is the abolition of the slave trade cannot be excuted without forcibly boarding American ships at sea is time of peace, and that the obligations created by the duty of France to pursue the same course. Should she put this construction upon her obligations, it is obvious the United States must do to her as they will do to Reland, if she persists in this attack upon their independence. Should she not, it does not become me to investigate the nature of her position with respect to one of her associates, whose opinion respecting their relative duties would be so widely different from her own. But I my express the hope that the government of his Majerly before ratifying this treaty, will examine maturely be pretensions asserted by one of the parties, and see how these can be reconciled not only with the honer and in terest of the United States, but with the received principles of the great maritime code of mations. I may make this appeal with the more confidence from the relative ples of the great maritime code of antions. I may this appeal with the more confidence from the re-subsisting between France and the United States be menaced by the ambition of any maritime power.

It appears to me, sir, that in asking the attention his Majesty's government to the subject of the quint